

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARC GOLDNER, Individually and as Officer :
of GOLDEN BELL ENTERTAINMENT, LLC, :
a California company and GOLDEN BELL :
STUDIOS, LLC, GOLDEN BELL :
ENTERTAINMENT, LLC., a Nevada Company :
and GOLDEN BELL STUDIOS, LLC., :

Civil Action No. 23-CV-04078(PAE)(SN)

Plaintiffs :

SHOW OF CAUSE

v. :

ALEXANDER NORRIS, :

And :

ANDREWS MCMEEL UNIVERSAL, LLC AND :
ANDREWS MCMEEL PUBLISHING, LLC :

Defendants :

Plaintiff's Counsel, Gerard P. Fox, hereby submits this showing of cause in response to the Court's March 18, 2024 Order, ordering Mr. Fox to show cause as to he should not be sanctioned pursuant to 28 U.S.C. § 1927, and under Rule 11 of the Federal Rules of Civil Procedure.

ARGUMENT

Gerard P. Fox, Esq, being duly sworn, hereby deposes and says:

1. This affidavit is filed in respect to the Order to Show Cause filed by United States magistrate Judge Sarah Netburn on March 18, 2024.
2. I am the founding partner and owner of Gerard Fox Law, P.C., and I am familiar with the facts surrounding the litigation between the parties, and the facts as stated herein.
3. I am over the age of 18, and the facts in this affidavit are within my personal knowledge, and I could competently testify to such if called to do so.
4. The litigation between the parties began in a related case on June 12, 2019, case number: 1:19-CV-05491-PAE, which was filed by Alexander Norris against Plaintiffs.

5. When the original suit was filed, Plaintiffs had retained other counsel, not my firm. My firm was not retained until July 1, 2022, and my firm substituted into the case on July 5, 2022, and quickly got up to speed.
6. The present case was filed on May 31, 2023, in good faith, and when it was filed, it was believed that the claims were meritorious.
7. There was no information at the time of our retention to suggest that the claims were time bared or otherwise not meritorious.
8. There was no vexatious intent, or tangible basis for alleging a vexatious intent, for filing the second related suit.
9. Upon further investigation including discussion with opposing counsel, our office learned of new facts that led to the conclusion that there were issues with the claims in this matter.
10. Upon further investigation, the claims against the McMeel defendants, and the majority of the claims against Norris have been withdrawn. The two remaining claims against Norris are being evaluated.
11. Our firm takes ethics very seriously and we have never had any ethical problems in any district court.
12. I had my office file my Motion for Admission for Pro hac Vice in the original lawsuit on August 22, 2022. (Dkt 101 in 1:19-CV-05491-PAE)

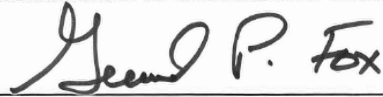
13. The Order Granting the Pro Hac Vice was entered on August 24, 2022. (Dkt 101 in 1:19-CV-05491-PAE)
14. In the second case, I intended to file a Motion for Admission for Pro hac Vice as well, but also had at that time an office in New York with a New York licensed attorney, Ryan Dolan, who handled the day-to-day litigation of my firm's New York cases, including the matters on behalf of Marc Goldner and his companies.
15. My firm filed a Motion to Withdraw as Counsel on January 24, 2024 (Dkt 25). This motion was withdrawn following an appearance on February 28, 2024.
16. I am admitted to the bar in California, Maryland, and Washinton D.C.. I have been notified by my paralegal that the California Certificate may take 7 to 10 days. A copy of that request is attached hereto (the same as were filed with my earlier application in the original case).
17. My pro hac vice application is filed herewith. A copy of the full application is attached hereto for your reference and a copy of the California Certificate will be filed upon receipt to supplement this pro hac vice application, if necessary.

CONCLUSION

WHEREFORE, the undersigned respectfully requests the Court find good cause and that the Order to Show Cause be Denied.

Dated: March 19, 2024
New York, New York

GERARD FOX LAW P.C.

A handwritten signature in black ink that reads "Gerard P. Fox". The signature is written in a cursive style with a horizontal line underneath it.

Gerard P. Fox
1880 Century Park E Suite 1410
Los Angeles, CA 90067
Telephone: (310)-441-0500
gfox@gerardfoxlaw.com

Attorneys for Plaintiffs,
Marc Goldner, Golden Bell
Entertainment LLC, Golden Bell
Studios, LLC

Rule 1.3 attached hereto.

Date: March 19, 2024

Los Angeles, California

GERARD FOX LAW P.C.

By: 

Gerard P. Fox

1880 Century Park E Suite 1410

Los Angeles, CA 90067

Tel: (310)-441-0500

Fax: (310)-441-4447

gfox@gerardfoxlaw.com

Counsel for Plaintiffs

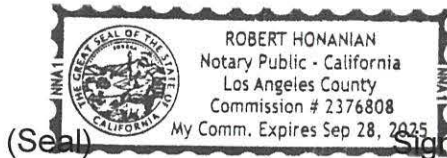
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of LOS ANGELES

Subscribed and sworn to (or affirmed) before me on this 19th
day of MARCH, 2024, by GERARD P FOX

proved to me on the basis of satisfactory evidence to be the
person(s) who appeared before me.



Signature

A handwritten signature in black ink, appearing to read "Gerard P. Fox", is written over a horizontal line.

states of California, District of Columbia, and Maryland.

3. I have never been convicted of a felony nor have I ever been censured, suspended, disbarred, or denied admission or readmission by any court. Furthermore, there are no pending disciplinary proceedings against me in any state or federal court.

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the information I have provided is true and accurate. I also understand that the Court retains the right to deny my admission based upon the content of the responses herein.

Date: March 19, 2024

Los Angeles, California

GERARD FOX LAW P.C.

By: 

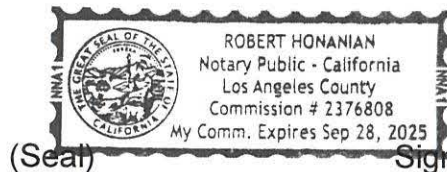
Gerard P. Fox
1880 Century Park E Suite 1410
Los Angeles, CA 90067
Tel: (310)-441-0500
Fax: (310)-441-4447
gfox@gerardfoxlaw.com
Counsel for Plaintiffs

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of LOS ANGELES

Subscribed and sworn to (or affirmed) before me on this 19th
day of MARCH, 2024, by GERARD P FOX

proved to me on the basis of satisfactory evidence to be the
person(s) who appeared before me.



Signature

A handwritten signature in black ink, appearing to read "Gerard P. Fox", is written over a horizontal line.

for Plaintiffs MARC GOLDNER, GOLDEN BELL ENTERTAINMENT, LLC., and GOLDEN BELL STRUDIOS, LLC., in the above-captioned action;

IT IS HEREBY ORDERED that Gerard P. Fox is admitted to practice Pro Hac Vice in the above-captioned action in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys.

Dated: _____

Hon. SARAH NETBURN
United States Magistrate Judge

Supreme Court of Maryland

Annapolis, MD



CERTIFICATE OF GOOD STANDING

STATE OF MARYLAND, ss:

I, Gregory Hilton, Clerk of the Supreme Court of Maryland, do hereby certify that on the nineteenth day of December, 1985,

Gerard Patrick Fox

having first taken and subscribed the oath prescribed by the Constitution and Laws of this State, was admitted as an attorney of said Court, is now in good standing, and as such is entitled to practice law in any of the Courts of said State, subject to the Rules of Court. This certificate of good standing is valid through the seventeenth day of May, 2024.



In Testimony Whereof, I have hereunto set my hand as Clerk, and affixed the Seal of the Supreme Court of Maryland, this eighteenth day of March, 2024.

Gregory Hilton

Clerk of the Supreme Court of Maryland

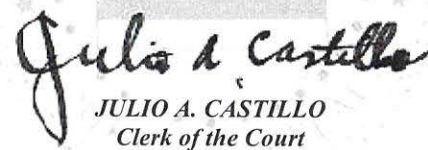


*On behalf of JULIO A. CASTILLO, Clerk of the District of Columbia Court of Appeals,
the District of Columbia Bar does hereby certify that*

Gerard P Fox

*was duly qualified and admitted on August 4, 1986 as an attorney and counselor entitled to
practice before this Court; and is, on the date indicated below, an Active member in good
standing of this Bar.*

*In Testimony Whereof,
I have hereunto subscribed my
name and affixed the seal of this
Court at the City of
Washington, D.C., on March 18, 2024.*


JULIO A. CASTILLO
Clerk of the Court

Issued By:



David Chu - Director, Membership
District of Columbia Bar Membership

*For questions or concerns, please contact the D.C. Bar Membership Office at 202-626-3475 or email
memberservices@dcbbar.org.*

Adriana Diaz

From: Heather Kyles
Sent: Monday, March 18, 2024 5:53 PM
To: Adriana Diaz; Teresa Navarrete
Subject: FW: Your payment has been processed

Heather Kyles

Executive Assistant to Gerard Fox

GERARD FOX LAW P.C.

1880 Century Park East

Suite 1410

Los Angeles, Ca 90067

hkyles@gerardfoxlaw.com

www.gerardfoxlaw.com

T: [\(310\)441-0500](tel:(310)441-0500)

F: [\(310\)441-4447](tel:(310)441-4447)

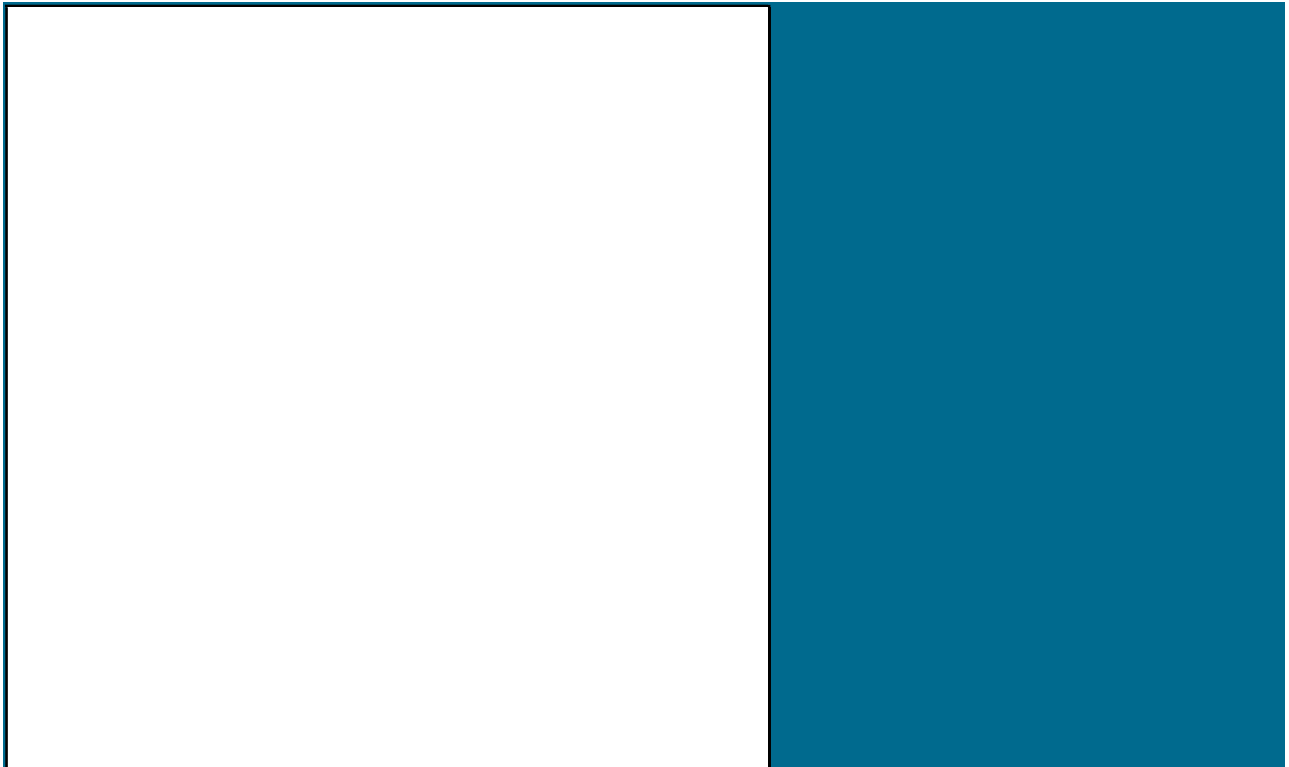
From: The State Bar of California <COS@calbar.ca.gov>

Sent: Monday, March 18, 2024 5:41 PM

To: Gerard Fox <gfox@gerardfoxlaw.com>

Subject: Your payment has been processed

" Warning, External Sender"



Dear **FOX, Gerard,**

CERTIFICATE OF STANDING - PAYMENT SUCCESSFUL

Your payment has been successfully processed and confirmed.

Invoice No: C1010915164920240

PAYMENT AMOUNT : \$41.00

PAYMENT METHOD: Visa - 5734

CONFIRMATION NO: 7108087988756007303289

Certificates are usually sent within 2 to 4 business days of receipt of your request.

If you need any additional assistance, please do not hesitate to contact us by email at COS@calbar.ca.gov or by phone at 888-800-3400.

Thank you.

Division of Regulation

[The State Bar of California](https://www.calbar.ca.gov) | 180 Howard Street | San Francisco CA 94105

Disclaimer: This message w/attachments (message) is intended solely for the use of the intended recipient(s) and may contain information that is privileged, confidential or proprietary. If you are not an intended recipient, please notify the sender, and then please delete and destroy all copies and attachments, and be advised that any review or dissemination of, or the taking of any action in reliance on, the information contained in or attached to this message is prohibited. Subject to applicable law, Sender may intercept, monitor, review and retain e-communications (EC) traveling through its networks/systems and may produce any such EC to regulators, law enforcement, in litigation and as required by law. The laws of the country of each sender/recipient may impact the handling of EC, and EC may be archived, supervised and produced in countries other than the country in which you are located. This message cannot be guaranteed to be secure or free of errors or viruses. References to "Sender" are references to The State Bar Of California. Attachments that are part of this EC may have additional important disclosures and disclaimers, which you should read. This message is subject to privacy policy available at the following link: <https://www.calbar.ca.gov/PrivacyPolicy.aspx>. By messaging with Sender you consent to the foregoing.

www.calbar.ca.gov

